

Minutes
Catawba County Board of Commissioners
Regular Session, Monday, October 17, 2005, 7:00 p.m.

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The Catawba County Board of Commissioners met in regular session on Monday, October 17, 2005, at 7:00 p.m. in the Robert E. Hibbits Meeting Room, 1924 Courthouse, Newton.

Present were Chair Katherine W. Barnes, Vice-Chair Dan Hunsucker and Commissioners Glenn E. Barger, Lynn M. Lail and Barbara G. Beatty.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Joellen Daley, Assistant County Manager Lee Worsley, County Attorney Robert Oren Eades, Attorney Debra Bechtel and County Clerk Barbara E. Morris.

1. Chair Katherine W. Barnes called the meeting to order at 7:00 p.m.
2. Vice-Chair Dan Hunsucker led the Pledge of Allegiance to the Flag.
3. The Invocation was offered by Chair Barnes.
Chair Barnes went on to say that it had been an exciting October. The golf tournament had been a success and over 1000 people were hosted for a Social Services Institute and there had been 1700 visitors from across the State at the Conference for the League of Municipalities. She noted that the Board had met with the Catawba County Board of Education earlier in the day and also had the privilege of attending the dedication of the new Grandview Middle School for the Hickory Public Schools.

4. Vice-Chair Dan Hunsucker made a motion to approve the minutes from the Regular Meeting of October 3, 2005. The motion carried unanimously.
5. Recognition of Special Guests.
Chair Barnes welcomed everyone present and specifically the members of the Startown Small Area Plan and Jerry Combs, President of Catawba County NAACP and Sheriff Huffman.
6. Public comment for items not on the agenda.
Mr. Carl Isenhour, 2054 6th Ave SE, Hickory, came forward to voice his concerns regarding blasting which occurs at the Martin Marietta rock quarry and the damage he believes this blasting has caused to his homes. Mr. Isenhour provided the Board with a petition signed by 54 homeowners regarding their similar concerns, as well as pictures of his property and the alleged damage. County Manager J. Thomas Lundy asked Mr. Isenhour if he had appeared before the Hickory City Council as he had indicated he had planned to do. Mr. Isenhour replied that he had but he had not heard anything back from them to date. He also said the plant manager for the quarry had offered lifetime rights to a house down in Statesville if they would move there. Mr. Lundy said they would check with the city of Hickory and check on the zoning and pointed out that cities by law in North Carolina are able to zone up to a mile outside their original city limits and Hickory actually has a two mile perimeter. Chair Barnes indicated that the administration would have to review and research this issue since the quarry is not within the County's jurisdiction and the staff would contact him regarding their findings.
7. Public Hearings:
 - a. Jacky Eubanks, Planning Director, presented the applicant, ALOTBETTER, LLC's request to rezone a 1.38-acre tract from the R-2 Residential District to the O-I Office Institutional District. The property is located at 5928 E NC 150 Highway in the Sherrills Ford Small Area Planning District, Mountain Creek Township. It is further identified as Parcel ID number 3686-12-97-4377. The parcel is ¾-miles east of the intersection of NC 16 and NC 150.

There is a house on the subject property.

- **North** – Property to the north is zoned R-2 Residential. The R-2 Residential District allows singlewide manufactured homes, doublewide manufactured homes, modular homes, stick-built single-family housing and two-family dwellings as permitted uses. Much of this land is vacant.
- **East** – Property to the east is mainly zoned R-2 Residential and developed with single-family housing. There is a commercial corridor approximately .5-miles east along Hwy 150. Parcel #8 across Hwy 150 is zoned O-I Office-Institutional and developed with a Marc 1 Realty office.
- **South** – Parcel #5 is a veterinarian office and zoned C-2 Commercial. The C-2 district is intended to provide land for convenience shops and specialty retail goods and business and personal services to the traveling public and the residents of neighborhoods. Other properties to the south are zoned R-2 Residential and contain some large vacant tracts.
- **West** – Properties to the west along Hwy 150 represents an extensive commercial corridor. The intersection of Hwy 16 and Hwy 150 is .8 miles to the west, zoned C-2 Commercial and developed commercially.

The Catawba County Zoning Ordinance, Section 44-80 O-I Office and Institutional District states: "The O-I office and institutional district is intended to provide a transition zone between residential and commercial or industrial uses and districts. It is also intended to accommodate a mixture of moderate-density residential, office and institutional uses in appropriate locations in the County. Access to the sites from minor residential streets shall be discouraged".

Public water is available along Hwy 150. Connection requirements would be through the Utilities and Engineering Department and would be based the water demand of the use. A wastewater study is also underway.

NC Highway 150 is designated as a minor arterial road on the Catawba County Thoroughfare Plan. This system, in conjunction with the principal arterial roads, forms a network that links cities, larger towns, and other major traffic generators. According to the Thoroughfare Plan, NC Highway 150 has a road carrying capacity of 9,900 Average Daily Trips (ADT). The 2001 traffic counts near the site were 9,400 ADT. The

Thoroughfare Plan recommends Hwy 150 to be widened to a four-lane road from NC 27 in Lincolnton to I-77 just west of Mooresville; however, this project is only funded in the State Transportation Improvement Plan (STIP) plan for planning and environmental study, not for construction. NCDOT will not finalize a commercial driveway permit prior to County review.

The Sherrills Ford Small Area Plan was adopted on February 17, 2003 serving as the current land use plan for this area. The plan identifies this area as the Hwy. 150 Corridor-Office Institutional/Mixed Residential area. The request is in conformance with the Sherrills Ford Small Area Plan.

Commissioner Beatty asked if the existing building was going to be used by the property owners and was the issue of HWY 150 considered. Mr. Eubanks said that whether or not the existing building is used for commercial use or whether it is taken down and started over with new commercial buildings, DOT will review a commercial driveway permit and based on this study, they may or may not recommend additional turn lanes.

Chair Barnes noted that the issue had been duly advertised and opened the public hearing regarding the rezoning. Hearing and seeing no one, Chair Barnes closed the public hearing and Commissioner Barger made a motion to approve the requested rezoning. The motion carried unanimously.

b. Mary George, Senior Planner, and Tony Wolfe, Chair of the Startown Small Area Plan Planning Committee, presented the Small Area Plan for the Startown community. Ms. George stated this was the sixth of seven small area plans to be presented to the Board.

In September 1999, the Board of Commissioners directed staff to begin the process of developing small area plans (SAP), as identified in the County's Strategic Growth Plan. A Startown area citizen-based committee, consisting of twelve members, was appointed by the Board of Commissioners in late 2003 and began its work in January 2004. The committee held a community input meeting on May 11, 2004, which forty (40) people attended. The main issues presented at this meeting included balancing pressures for commercial development with rural qualities, fear of annexation and the concern over expansion of highways.

For the next year, the committee developed its plan recommendations to address seven issues: 1) land use and community design; 2) transportation; 3) community facilities and public services; 4) housing; 5) economic development; 6) natural resources; and 7) cultural resources. The draft plan was then presented to the public at a community meeting held in May 2005. The committee reviewed comments received from this meeting and made some minor amendments to the plan. These changes included requiring cluster subdivisions and 100 foot setback for residential development along Startown Road north of Settlemyre Bridge Road, a minor revision to the rezoning map along Hwy. 321 Business and exploring cooperative ways to partner with the City of Newton on the development of the City's new Jacob Fork Park.

Highlights of the Startown Small Area Plan include:

- Extensive residential rezonings – the committee is recommending the rezoning of all the residential-zoned property within their district. Approximately 25% of the land is proposed to be rezoned to R-1 which would not allow any type of manufactured home. Around 64% is proposed to be rezoned to R-3, which allows for doublewide manufactured homes and stick-built homes (no singlewide manufactured homes.) The basis for the recommendation is the changing trend of residential development in the area and the protection of property values, appearance and character of the high-density area.
- High residential density is recommended north of Hwy. 10 and east of a corridor along Startown Road between Newton and Maiden. High density would allow two houses per acre without public water and three houses per acre with public water. In order to preserve the rural character of the area between Newton and Maiden, mandatory clustering is recommended for all major subdivisions on Startown Road south of Hwy. 10, Sigmon Dairy Road and Rome Jones Road. Mandatory clustering is also recommended for major subdivisions on Startown Road north of Settlemyre Bridge Road. No other small area plan has recommended mandatory cluster subdivisions - most plans only encourage this type of development. Also, to further protect the rural character, the plan recommends that all homes

be setback 100 feet from Startown Road (north of Settlemyre Bridge Road and south of Hwy. 10), Sigmon Dairy Road and Rome Jones Road.

- Low residential density is proposed for the area south of Hwy. 10 and west of a corridor on Startown Road. Low residential density is defined as one home per two acres. The plan also recommends that new homes along Blackburn Bridge Road and Hickory-Lincolnton Hwy. be setback 100 feet.
- Commercial uses would be allowed in the "Community Center" at a recommended Hwy. 321 interchange at Rocky Ford Road in addition to the neighborhood and rural commercial nodes. A neighborhood node is recommended for the intersection of Settlemyre Bridge Road and Startown Road (future intersection of Southern Corridor). A rural node is recommended at the intersection of Hwy. 10 and Hickory-Lincolnton Hwy. Commercial development standards include: landscaping along road frontage and within parking lots, allowance for mixed-use developments (commercial with residential uses in the same building), encouraging the use of native plants for landscaping and brick or masonry building fronts.
- Mixed-use development is recommended in a proposed village area at the northern end of the district on the west side of Startown Road. A mixture of commercial, office, multi-family and single-family uses would be allowed in the village.
- The plan recommends that future phases of Catawba Valley Blvd. east of Startown Road not be built due to concerns over the potential for increased commercial development in the northern portion of the small area plan district. The committee also believes that an additional east-west road was not needed between I-40 and Settlemyre Bridge Road.
- The plan recommends that a new interchange at Hwy. 321 and Rocky Ford Road be constructed to accommodate industrial traffic to the landfill and other industrial uses off Rocky Ford Road.
- The plan encourages working with landowners and land trusts to develop passive recreational opportunities, such as boating access areas, on the South Fork Catawba River (including the Henry and Jacobs Fork Rivers).
- The plan encourages exploring adaptive reuse of the Blackburn Landfill site for joint economic and education opportunities, such as a site for CVCC's turf management program.
- The plan recommends exploring cooperative ways to partner with the City of Newton on the development of its Jacob Fork Park.

In August 2005, the committee Chair met with the Board of Commissioners in one-on-one meetings to review the plan recommendations in detail. Board members suggested re-consideration of the deletion of the Catawba Valley Blvd. Extension Project and the recommendation of a proposed village. They also expressed concern over the amount of acreage proposed for residential rezoning and its impact on the overall total rezonings for the small area plans. These comments were reviewed by the committee at its August 30, 2005 meeting. The Committee considered the Board's comments but did not make any changes as suggested by the Board due to the initial input received by the community. With discussion of the Board of Commissioners recommendations and other issues presented by the City of Newton, the committee recommended the Startown Small Area Plan at its August 30, 2005 meeting. In voting on the plan, Glenn Pattishall (Planning Director and committee representative for the City of Newton) expressed the City's opposition to the recommendation of deleting the Catawba Valley Blvd. extension road project from the Thoroughfare Plan. Also, Mr. Pattishall along with Andrea Lytle (Planner representing the Town of Maiden) noted their opposition to the deletion of the Robinson Road Extension project.

On September 6, 2005, the Startown committee met jointly with the Planning Board in a work session to review the plan recommendations in detail. A minor amendment was made to the residential rezoning map to include property along Rocky Ford Road in the proposed R-1 rezoning area.

The Planning Board conducted a public hearing on the Startown Small Area Plan at its September 26, 2005 meeting. Approximately 20 people were in attendance with three individuals speaking during the public hearing portion of the meeting. Mr. Larry Sharpe requested the Board's consideration of a rural commercial node at the intersection of Rocky Ford Road and Hickory-Lincolnton Hwy. His property located at this intersection was previously a nonconforming use but had lost its nonconforming status since the use was abandoned for more than 180 days. The Startown committee had reviewed Mr. Sharpe's request at an earlier meeting and did not recommend a commercial node due to safety concerns at the Y-shaped intersection. The other two speakers had specific questions which were answered by staff.

Staff informed the Board that the Catawba Valley Blvd. Extension Project is a future road recommended in the Metropolitan Planning Organization (MPO) Thoroughfare Plan which has been approved by eleven local governments in the Unifour, including Catawba County. Furthermore, staff informed them that a proposed re-alignment of the roadway, as designed by Kubilins Transportation Group, was officially endorsed by the City of Hickory and Catawba County over two years ago which would shift the road south and away from the Catawba Valley Community College campus. The College also was strongly in favor of re-routing the road, as the current alignment was inconsistent with the college's master plan objectives. The Board was advised that the mere recommendation of deletion in the Startown plan would not remove the project from the thoroughfare plan. Official action by all members of the MPO would be required to remove the thoroughfare from the plan and this was unlikely since the cities of Newton and Hickory have relied on this roadway for future development plans and infrastructure. Furthermore, the proposed re-alignment will appear next to the current alignment in the thoroughfare plan until a comprehensive update of the plan is conducted in 2007.

The Planning Board unanimously recommended the Startown Small Area Plan with the deletion of the Catawba Valley Blvd. and Robinson Road extensions. They did not recommend a rural commercial node at Rocky Ford Road and Hickory-Lincolnton Hwy. as requested by Mr. Sharpe.

Staff recommended the adoption of the Startown Small Area Plan as submitted with exception of the committee and Planning Board's recommendation for the deletion of the Catawba Valley Blvd. and Robinson Road extension projects. As members of the MPO, staff supports keeping the projects on the thoroughfare plan. Staff recognizes that there are concerns about four east-west thoroughfares within two miles but due to the current fiscal climate of NCDOT it appears that the Catawba Valley Blvd. Extension Project is more likely to be built with local developer and city contributions rather than the Southern Corridor.

The proposed Startown Small Area Plan reads as follows:

STARTOWN SMALL AREA PLAN

SECTION I: LAND USE RECOMMENDATIONS

RESIDENTIAL

- LU-1 Designate residential density districts, as shown on *Map 5, Startown SAP Future Land Use Recommendations and Residential Densities*. The densities indicated are average densities and are not minimum lot sizes.
- LU-2 A high-density mixed-use Village, as shown in brown on *Map 5*, is proposed in the northern portion of the SAP west of Startown Road. Multi-family homes should be permitted in the village area, which may include a mixture of apartments, patio homes, cluster developments and zero-lot line developments. Multi-family homes should adhere to the following design concepts:
 - .1 Limit access in new subdivisions to landscaped interior roads and networks.
 - .2 30-foot landscaped buffer along road frontages.
 - .3 Limit signage to monument-style signs that are low to the ground.
- LU-3 Internal open space is proposed in the Village, either for passive or active use, at a rate of 5% of the property or 10,000 square feet, whichever is greater. A community building, bicycle path, tennis courts, etc. could be included; the 30-foot landscaped road frontage buffer, however, may not be included in this calculation.
- LU-4 The area proposed for high-density residential development, as shown in yellow on *Map 5*, is located in two portions of the Startown SAP, north of NC Highway 10 and east of Startown Road between Newton and Maiden. Residential development in these areas should adhere to the following design concepts:

- .1 Single-family homes should be developed at a maximum density of one unit per 0.5 acres with no public water OR one unit per 0.34 acres where water is available.
- .2 Mandatory clustering should be required for all major subdivisions on Startown Road south of NC 10, Sigmon Dairy Road and Rome Jones Road in order to preserve the rural character of the area. Mandatory clustering is also required for all major subdivisions on Startown Road north of Settlemyre Bridge Road.
- .3 All subdivisions and individual homes along Startown Road north or Settlemyre Bridge Road and south of NC Highway 10, Sigmon Dairy Road and Rome Jones Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.

LU-5 The area proposed for low-density residential development, as shown in green on *Map 5*, is located approximately ¼ mile west of Startown Road to the western SAP boundary and south of NC Highway 10 to the Lincoln County border. Low-density residential is also recommended for the ½ mile corridor along US 321 north of NC Highway 10 in order to preserve the rural views from the highway. Residential development in this area should adhere to the following design concepts:

- .1 Single-family homes should be developed at a maximum density of one unit per two acres.
- .2 Cluster subdivision design is encouraged.
- .3 All subdivisions and individual homes along Blackburn Bridge Road and Hickory-Lincolnton Highway north of Blackburn Bridge Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.

LU-6 All major residential subdivisions in the Startown SAP should incorporate the following additional design criteria:

- .1 Landscaping/buffering – a 30-foot natural buffer with trees and/or dense shrubbery should be required around the perimeter of all subdivisions, at entrance(s) and along thoroughfares; the purpose of this buffer is to help preserve the rural character of the Startown community.
- .2 Provide 30% common open space that is easily accessible and is usable for recreation; some of the required open space should be located outside the 100-year floodplain. The 30-foot landscaped road frontage buffer may be included in this calculation.
- .3 Limit access in new subdivisions to interior roads and networks (see Transportation Recommendations).
- .4 Encourage traditional neighborhood design by adopting such techniques as pedestrian-accessible and walkable neighborhoods through connected streets, sidewalks or greenways, street trees, and community amenities such as neighborhood parks. Neighborhoods should also provide a variety of housing types and sizes.

LU-7 It is recommended that school capacity no longer be a consideration regarding minimum lot sizes for new developments.

COMMERCIAL

LU-8 Coordinate with NCDOT and the Town of Maiden to establish a gateway entrance to Catawba County with attractive signage on US Highway 321 at the Startown Road interchange. Encourage NCDOT to landscape all interchanges along US Highway 321.

LU-9 An interchange is proposed on US Highway 321 at Rocky Ford Road (see Transportation Recommendations). Development at this interchange should adhere to the design standards established in the *US 321 Corridor Plan*.

LU-10 Businesses in the Startown SAP should adhere to the following appearance and design criteria:

- .1 Encourage parking areas to be located to the side or rear of buildings.
- .2 Encourage mixed-use development at commercial nodes. (This concept allows residential and commercial uses in the same building).
- .3 Commercial development should be aesthetically pleasing, designed at a walkable pedestrian scale and create a desirable destination point.
- .4 Require landscaped areas along road frontages and within parking areas located in front or side yards.
- .5 Abundant landscaping should be provided at site entrances, in public areas, and adjacent to buildings. All loading, storage, and maintenance areas should also be heavily landscaped. Where possible, landscaping and buffering should be done with native vegetation. Native plants generally survive better and require less maintenance than non-native species.
- .6 Lighting at all commercial or mixed-use development be angled downward and shielded to avoid illuminating the night sky.
- .7 Encourage brick or masonry fronts on buildings while avoiding blank walls. Visual interest can be achieved through architectural details, distinctive lighting or awnings.

LU-11 A Community Center Node should be designated at the following intersection (See Map 5, *Startown SAP Future Land Use Recommendations*):

- .1 The proposed interchange at US Highway 321 and Rocky Ford Road

The Community Center Node should include regional commercial and mixed uses with a total area of 20 to 40 acres per node and a maximum gross leasable area of 100,000 square feet per lot.

LU-12 A Neighborhood Commercial Node should be designated at the following intersection (See Map 5, *Startown SAP Future Land Use Recommendations*):

- .1 Settlemyre Bridge Road at Startown Road (an intersection of the future "Southern Corridor")

The Neighborhood Commercial Node should include a mix of commercial and residential uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot.

LU-13 A Rural Commercial Node should be designated at the following intersection (See Map 5, *Startown SAP Future Land Use Recommendations*):

- .1 NC Highway 10 and Hickory-Lincolnton Highway

The Rural Commercial Node should serve residents of the immediate neighborhood with maximum site area of 10 acres and a maximum gross leasable area of 15,000 square feet per lot.

OFFICE-INSTITUTIONAL

- LU-14 Office and institutional uses should be allowed in Neighborhood Commercial Nodes as well as in mixed-uses permitted at the interchanges on US Highway 321.
- LU-15 Office and institutional uses should strive to preserve the rural viewshed by adhering to the design standards recommended for commercial development.
- LU-16 Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.
- INDUSTRIAL
- LU-17 The land currently zoned for industrial uses is adequate.
- LU-18 Industrial zoned property which is developed or redeveloped should strive to preserve the rural viewshed by adhering to the design standards recommended for commercial development.
- LU-19 Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.

OPEN SPACE

- LU-20 Thirty percent (30%) of total acreage in major single-family subdivisions should be required to be dedicated as open space, which may be located within the development for community use, natural areas. The 30-foot landscaped road frontage buffer may be included in this calculation. (Existing vegetation should be allowed to provide this open space buffer if deemed adequate).
- LU-21 Preserve green space specifically for passive recreational uses, including hiking trails, primitive camping areas, canoe access, etc.
- LU-22 Develop passive recreation facilities on the Blackburn Landfill as land becomes available.

SECTION II: TRANSPORTATION RECOMMENDATIONS

Catawba County does not maintain roads and therefore the following recommendations will be forwarded to NCDOT or used in areawide thoroughfare planning. Note: For the following recommendations, refer to *Map 6, Startown SAP Transportation Recommendations*.

ROADS & HIGHWAYS

- T-1 Improve communication by transportation officials when advertising public hearings for new roads, road changes, etc., which may include individual notification to affected property owners.
- T-2 Coordinate with NCDOT and the Town of Maiden to establish a community gateway entrance to Catawba County with attractive signage on US Highway 321 at the Startown Road interchange. Encourage NCDOT to landscape all interchanges along US Highway 321.
- T-3 Explore possible local Scenic Byway designation for the following roads:
- .1 US Highway 321
 - .2 NC Highway 10 west of Startown Road to Hickory-Lincolnton Highway south to Blackburn Bridge Road to Startown Road, back to NC Highway 10. Coordinate with Lincoln County the possibility of extending this scenic loop south along Startown Road to River Road or Ritchie Road then north back into Catawba County.

Request from NCDOT District Office:

- T-4 Add turn lanes with turn signals or make intersection improvements at the following intersections:
- .1 West Maiden Road at Canslers Crossroads (traffic signal)
 - .2 NC Highway 10 and Startown Road (left turn signal turning west onto Highway 10)
 - .3 Improve intersection of Sigmon Dairy Road and NC Highway 10 to increase turn radius for truck traffic
 - .4 Install left turn signal on Startown Road at Sandy Ford Road
 - .5 Reduce visibility problems at the intersection of Sigmon Dairy Road and Rome Jones Road
- T-5 Explore with NCDOT the possibility of diverting truck traffic from Sandy Ford Road between Robinwood Road and Startown Road.
- T-6 Improve the following roads to enhance safety (for example, improved bridges, curves, drainage issues):
- .1 Curves on Robinson Road north of Sandy Ford Road

Revisions to the Unifour MPO and Catawba County Thoroughfare Plans:

- T-7 Recommend a new interchange on US Highway 321 at Rocky Ford Road to accommodate industrial traffic, especially trucks from the Blackburn Landfill, on Hickory-Lincolnton Highway. The proposed interchange on US 321 at Rocky Ford Road should adhere to the design standards established by the *US 321 Corridor Plan*. This recommendation would also require improvements to Rocky Ford Road.
- T-8 Evaluate the feasibility of extending Robinson Road from NC Highway 10 south to Rocky Ford Road, on a new route west of existing subdivisions to the intersection of Rocky Ford Road and US Highway 321. [It should be noted that the City of Newton, through its representative Planning Director Glenn Pattishall, objected to the committee's decision to propose a new alignment of Robinson Road from NC Hwy. 10 south to Rocky Ford Road.]
- T-9 Recommend eliminating the Robinson Road extension project south of Rocky Ford Road to West Maiden Road due to concerns of loss of open space in the US Highway 321 Corridor.
[Newton, as well as the Town of Maiden, did not endorse the committee's suggestion to eliminate the extension of Robinson Road south from Rocky Ford Road to West Maiden Road.]
- T-10 Recommend that future phases of Catawba Valley Boulevard not be built because of concerns over increased commercial development in the northern Startown SAP area and the number of east-west connecting roads between I-40 and Settlemyre Bridge Road.
[The City of Newton did not agree with the committee's recommendation to remove the extension of Catawba Valley Blvd. from the Unifour MPO Transportation Plan.]
- T-11 Focus attention on the Southern Corridor as the top priority east-west road for future development as an alternative to Catawba Valley Boulevard Extension.
- T-12 Recommend that the Southern Corridor west of Startown Road be built as a four-lane, divided, landscaped boulevard design. East of Startown Road, a four-lane "urban design" is recommended, which requires less right-of-way.
- T-13 Incorporate the Early Action Compact for air quality into the *State Transportation Improvement Plan*.

Amend the County Zoning and Subdivision Ordinances to:

- T-14 Establish regulations that all new residential driveways connecting to arterial and collector streets must be at least 12 feet wide for the first 20 feet of length with a minimum 3-foot turn radii. These roads include:
- .1 Hickory-Lincolnton Highway
 - .2 Startown Road
 - .3 NC Highway 10
 - .4 Robinson Road

- .5 Sandy Ford Road
- .6 West Maiden Road

- T-15 Driveways along thoroughfares should be minimized by encouraging service roads for residential and non-residential development.

PEDESTRIAN SYSTEM

- T-16 Sidewalks should be included with the construction of the Southern Corridor and, if built, the extensions of Catawba Valley Boulevard and Robinson Road.

BICYCLE SYSTEM

- T-17 The Startown SAP supports the bicycle routes recommended by the Catawba County Bicycle Mapping Committee, which has been submitted to NCDOT for approval (see *Map 6*).
- T-18 Increase pavement width to the maximum extent feasible along the designated bicycle routes for increased safety.

TRANSIT SYSTEM

- T-19 Enhance Piedmont Wagon routes to provide increased service for the elderly.
- T-20 Request Catawba County to initiate a feasibility study for expanding the Piedmont Wagon route into the Startown community.

PASSENGER RAIL

- T-21 Encourage Piedmont Wagon to schedule trips to coordinate with the western North Carolina passenger rail service.
- T-22 Determine feasibility of creating a light rail passenger service along the existing rail corridor from Catawba to Hickory with stops at urban centers.

SECTION III: COMMUNITY FACILITIES AND PUBLIC SERVICES RECOMMENDATIONS

SCHOOLS

- CF-1 Continue to use and enhance school facilities for comprehensive community and recreation activities.
- CF-2 The County should remove school capacity as a factor in determining residential density for new developments when the Startown Small Area Plan land use and housing recommendations are implemented.
- CF-3 School planners should use the future residential density recommendations (see Land Use Plan Recommendations) when identifying school expansion needs.
- CF-4 Explore the feasibility of funding options for constructing school facilities.

PARKS AND GREENWAYS

- CF-5 Work with landowners and local conservancies to establish passive recreational uses and/or boating options on the South Fork River.
- CF-6 Explore the adaptive reuse of the Blackburn landfill site for recreational activities, such as a golf or putt-putt course, hiking, biking and walking trails, picnic areas, a ropes course, an educational forest, a swimming pool or a community meeting facility.

LIBRARIES

CF-7 Continue cooperation with municipalities in providing library service.

CF-8 Maintain existing levels of library service and increase as needed.

CF-9 Explore options for locating public library facilities on school sites.

D. WATER/SEWER SERVICES

CF-10 Major utility expansions in high-density areas, as indicated on *Map 5, Startown SAP Future Land Use Recommendations*, should have a priority.

CF-11 Partner with municipalities to provide utilities that are consistent with adopted land use plans and “smart growth” principles.

CF-12 Continue to pursue Community Development Block Grants for the expansion of utilities.

CF-13 Areas with septic failures should be considered for public sewer service.

E. EMERGENCY SERVICES

CF-14 Maintain existing levels of service.

CF-15 Continue to support and develop measures to reduce medical response times.

SECTION IV: HOUSING RECOMMENDATIONS

F. ALL RESIDENTIAL USES

G. H-1 The Planning Board and staff investigate the possibility of developing a County-wide minimum housing standards. It should apply to single-family, multi-family housing and rental housing, with standards limiting the number of individuals inhabiting a single dwelling unit.

H-2 Where possible, landscaping and buffering should be done with native vegetation. Native plants generally survive better and require less maintenance than non-native species.

H-3 All subdivisions and individual homes along Startown Road north of Settlemyre Bridge Road and south of NC Highway 10, Sigmon Dairy Road, Rome Jones Road, Blackburn Bridge Road and Hickory-Lincolnton Highway north of Blackburn Bridge Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.

H. SINGLE-FAMILY

H-4 Residential subdivisions should incorporate the following additional design criteria:

- .1 Landscaping/buffering – a 30-foot natural buffer with trees and/or dense shrubbery should be required around the perimeter of all subdivisions, at entrance(s) and along thoroughfares; the purpose of this buffer is to help preserve the rural character of the Startown community.
- .2 Provide 30% common open space that is easily accessible and is usable for recreation; some of the required open space should be located outside the 100-year floodplain. The 30-foot landscaped road frontage buffer may be included in this calculation.
- .3 Limit access in new subdivisions to interior roads and networks (see Transportation Recommendations).

- .4 Encourage traditional neighborhood design by adopting such techniques as pedestrian-accessible and walkable neighborhoods through connected streets, sidewalks, street trees, and community amenities such as neighborhood parks. Neighborhoods should also provide a variety of housing types and sizes.
- .5 Cluster subdivisions are required in certain high-density residential areas and encouraged in low-density residential areas (see Land Use Plan Recommendations). Clustering preserves open space and rural character.

H-5 Development of higher density single-family housing should occur where appropriate infrastructure and services exist or are planned.

I. MULTI-FAMILY

H-6 The areas already zoned 321-ED(MX), the proposed Village along Startown Road, and the proposed Neighborhood Commercial and Community Center Nodes are sufficient to accommodate the need for multi-family housing in the Startown planning area. These areas are appropriate for multi-family development once public water and sewer service are available.

H-7 Duplex or two-family homes should continue to be allowed as a permitted use in all residential districts regardless of the availability of water or sewer infrastructure.

J. MANUFACTURED HOMES

H-8 Rezone the areas shown on *Map 7, Startown SAP Proposed Zoning Map Amendments*.

.1 Twenty-five percent (25%) of the land in the Startown SAP is proposed for rezoning to R-1 (which allows stick-built or modular homes). The basis for this rezoning is to protect property values, appearance and character of the community where higher density is proposed. Furthermore, the demand for manufactured housing in the Startown area has decreased consistently over the past several years, suggesting that less land needs to be zoned to permit this type of housing.

.2 Sixty-four percent (64%) of the land in the Startown SAP is proposed for rezoning to R-3 (which allows double-wide manufactured homes, modular homes and site-built homes). The proposed rezoning permits doublewide manufactured homes as an affordable housing option, while the required 100-foot setbacks along certain roads and low density will preserve the rural character of the Startown community.

H-9 Allow existing manufactured homes in the R-1 and R-3 zoning district to be replaced with manufactured homes based on their nonconforming status. Subdivisions that have been approved for manufactured homes should continue to be allowed to place them on remaining vacant lots.

RETIREMENT

H-10 Options for retirement living are suggested in the ED-MX zoning district and in the proposed mixed-use Village on Startown Road.

H-11 Retirement housing is an alternative at the other recommended commercial nodes if the appropriate infrastructure is available.

SECTION V: ECONOMIC DEVELOPMENT RECOMMENDATIONS

ED-1 Pursue a high-quality, attractive business and light industrial park along NC Highway 10 near the US Highway 321 interchange on land currently zoned ED-I (see *Map 5, Startown SAP Future Land Use Recommendations*).

- .1 In this complex, allow industrial uses in a campus-like setting.
- .2 This development should observe the following appearance and design criteria:
 - .1 Landscaped areas along road frontage;
 - .2 Use native vegetation where possible;

- .3 Limit size of signs;
 - .4 Require internal streets as well as interconnectivity among the several businesses and industries;
 - .5 Design standards and other access management methods that will control traffic movement and driveway connections from major roads;
 - .6 Require sidewalks at the proposed business/light industrial park.
- .3 The EDC, the County and the City of Newton should partner on development plans for the proposed Business/Light Industrial Park.
- ED-2 In the area currently zoned 321-ED(MX), support the development of commercial, office and residential uses consistent with the standards outlined in the Land Use Plan Recommendations.
- ED-3 A Community Center Commercial Node is recommended for the intersection of US Highway 321 and the proposed interchange with Rocky Ford Road. See *Map 5, Startown SAP Future Land Use Recommendations*.
- .1 This node should include regional commercial and mixed uses with a total area of 20 to 40 acres per node and a maximum gross leasable area of 100,000 square feet per lot. Businesses in this area should buffer structures and parking from US Highway 321. Architectural controls and landscaping for parking areas should be required at this Community Center development.
- ED-4 A Neighborhood Commercial Node is proposed for the intersection of Startown Road and the extension of Settlemyre Bridge Road (the new Southern Corridor). See *Map 5, Startown SAP Future Land Use Recommendations*.
- .1 This node should include a mix of commercial and residential uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot.
- ED-5 A Rural Commercial Node should be designated at the following intersection (See *Map 5, Startown SAP Future Land Use Recommendations*):
- .1 NC Highway 10 and Hickory-Lincolnton Highway. The Rural Commercial Node should serve residents of the immediate neighborhood with maximum site area of 10 acres and a maximum gross leasable area of 15,000 square feet per lot.
- ED-6 Explore the adaptive reuse of the Blackburn landfill site for joint economic development and educational options, perhaps including relocating the Catawba Valley Community College turf management program to this site to partner with turf and landscaping operations.

SECTION VI: NATURAL AND CULTURAL RESOURCES RECOMMENDATIONS

NATURAL RESOURCES AND OPEN SPACE

- NC-1 Preserve the community's open spaces through density controls, zoning and subdivision regulations which establish two density areas, higher-density (one dwelling unit per 0.34 acres with public water, one dwelling per 0.5 acres without public water), and lower-density (one dwelling per two acres). Since these densities are recommended averages and not minimum lot sizes, cluster development is encouraged (or required in certain areas) to preserve open space. See *Map 5, Startown SAP Future Land Use Recommendations and Residential Densities*.
- NC-2 Thirty percent (30%) of total acreage should be required as open space in single-family subdivisions. The 30-foot landscaped road frontage buffer may be included in this calculation.
- NC-3 Encourage residential subdivisions to follow design criteria for preserving trees or replacing them with native species, if necessary.

- NC-4 Seek approval for a NCDOT Scenic Byway designation for the routes recommended on *Map 6, Startown SAP Transportation Recommendations*.
- NC-5 Consider requesting North Carolina General Assembly, if necessary, to allow Transfer of Development Rights (TDR), which would encourage development in areas with adequate infrastructure and preserve open space in more rural parts of the county like the Startown community.

RECREATION OPPORTUNITIES

- NC-6 Request the County to explore cooperative ways to partner with Newton in developing Jacob Fork Park.
- NC-7 Work with landowners and local conservancies to establish passive recreational uses and/or boating options on the South Fork River, including the Henry and Jacob Fork Rivers.
- NC-8 Explore the adaptive reuse of the southern portion of the Blackburn landfill site for recreational activities, such as a golf or putt-putt course, hiking, biking and walking trails, picnic areas, a ropes course, an educational forest, a swimming pool or a community meeting facility.
- NC-9 Explore the adaptive reuse of the Blackburn landfill site for joint economic development and educational options, perhaps including relocating the Catawba Valley Community College turf management program to this site to partner with turf and landscaping operations.

CULTURAL RESOURCES

- NC-9 Support the placement of a historical marker on Startown Road showing the original location of Crowdertown.
- NC-10 Support the preservation of Oakwood Farm, a historic dairy farm near the intersection of US Hwy 321 and NC Hwy. 10.

Mary George then presented the Startown Small Area Plan Committee members who were present: Tony Wolfe, Rusty Lutz, Jerry Lael, Reba Reinhardt and Clarence Hood. Chair Barnes thanked them for their diligence.

Vice-Chair Hunsucker said he was curious about discussions with the Planning Board and that they had recommended deleting the Catawba Valley Blvd and Robinson Road extensions and while he understood why staff thought they should be left in the plan, he had some concerns about that. Commissioner Beatty responded that this was something they had worked on for many years through the MPO and those plans had been approved but she was sure there are some conflicts and she would be glad to sit down to discuss these plans. Commissioner Barger asked what the reasons were to extend Catawba Valley Blvd to where it is being proposed now – and said he assumed it was a decision made by this Board or some board many years ago. Mary George explained that it was part of the Thoroughfare Plan back in 1986 and it was a continuous road that goes from where it currently is to try and take some of the industrial traffic off of HWY 70 and provide an alternative because HWY 70 was pretty strained. She said she also believed that the City of Newton had a lot of plans for industrial parks off of Fairgrove Church Road and it ties into an intersection that comes through the Fairgrove Church Road Industrial Park which is behind Steve White Motors on Fairgrove and St. Paul's Church Road so it was a type of linkage of roadways in that area. Ms. George said that one of the concerns of the Committee was where it deadends on the western end currently as it comes to Robinson Road and they were concerned about continuing west at that location without going down to the fire station and the developments there and where the road is narrow.

Chair Barnes then announced there was a public hearing to be conducted and it had been duly advertised and it was the time and place for the comments regarding the Startown Small Area Plan and asked anyone wishing to speak to come forward.

Pamela Shell Paxton, 4146 Startown Road, Newton - Ms. Paxton first inquired if anyone on the Startown Area Plan Committee actually lived on Startown Road and it was indicated that a few members of the

committee present in the audience did live on Startown Road. Ms. Paxton said she had lived on Startown Road for the past ten years and had seen an increase in tractor trailer traffic and was concerned that there was no enforcement of speed for any truck that goes by her home. She noted there was an elementary school in the area and no enforcement of the school zone speed. She said the City of Newton Fire Station on Startown Road had no flashing lights to say if a fire truck was entering the highway and she believed a tractor trailer would be unable to stop to avoid these vehicles entering the highway. She stated that a satellite City of Newton Police Office was needed on Startown Road and Chair Barnes pointed out that was not an issue that the County had control over and Commissioner Beatty confirmed with Ms. Paxton that she did live in the city limits of Newton.

Reverend Randall Cauble, Paster of New Jerusalem Lutheran Church, residing in Newton – Reverend Cauble said the church council had discussed this issue on several occasions. He stated the church was located in the northern area of the small area plan and asked to read the following statement by the church council:

“ On behalf of the Congregation Council of New Jerusalem Lutheran Church, Hickory, we strongly endorse the Startown Small Area Plan. It is our belief that an extension of Catawba Valley Boulevard would be detrimental to the continuing ministry of our congregation. It is our great fear that this extension would only provide further, uncontrolled, commercial growth around our property (he added the church had existed there for 99 years) and cut us off from residential sections. We hope that the Board of Commissioners will vote to disallow any extension of Catawba Valley Boulevard and keep things the way they are. Thank you.”

Ruty Lutz, 2738 Startown Road - Mr. Lutz said he served on the Startown SAP and was also a member of the Planning Board. He said that one of the overriding concerns at their May 2004 meeting was to maintain as much as possible the open spaces within the SAP. He noted that if one traveled south on Startown Road, it was one of the most beautiful viewsheds in Catawba County. He further said starting on the bridge over I-40 on McDonald Blvd and travel south, there was I-40 as a major east/west thoroughfare, a half a mile south there was HWY 70 as another major east/west thoroughfare and then a mile further south there is the new interchange/proposed interchange at Catawba Valley Blvd which would be the third east/west thoroughfare and then travel one more mile south, there is the interchange of the southern part or extension of Settlemeyer Bridge Road – So within less than three miles, there would be 4 major east/west thoroughfares. The SAP realized the major reason for extending Catawba Valley Blvd was the commercial development in that area behind Rider Truck/Fairgrove Church Road and the committee felt that if the extension could be deleted and possibly move forward the extension of the Southern Corridor and bring Fairgrove Church Road south through the industrial property and intersect with the Southern Corridor, that some of the same things could be accomplished rather than creating a new road through the open space between Startown Road and HWY 70. This was the same thought when the committee decided/recommended deleting the extension of Robinson Road – because of the major concern of citizens in the May 2004 meeting was the traffic generated to the dump by the GDS trucks. The Committee felt that if they took Robinson Road and stopped it at Rocky Ford and created a new interchange at 321 and Rocky Ford, then a lot of the traffic coming out the Hickory area could be diverted down 321, come off at the Rocky Ford interchange and be right at the dump without coming through the residential area. The committee also tried to maintain open space with recommendations of higher density development where infrastructure already exists and leaving the area between the 321 corridor and Startown Road for lower density residential. Mr. Lutz said the committee felt that they had a good plan in front of the Commissioners and hoped they would endorse it.

W. R. Lutz, longtime resident of the Startown Road section three miles north of the Startown crossroads. Mr. Lutz said during his 81 years as a citizen of that area, he saw vast changes in industry, culture and dramatic urban growth. He said he was not against the Small Area Plan and believed there should be planned development and he hoped it would be geared to ensure sound, healthy growth, guard against resources that would hurt the area as well as secures the well-being of the citizens. He said the plan greatly affected the owners of large tracts of farmland, which are no longer used as full-time, self-supporting farming operations. These owners, at retirement time, will be forced to cash out their property, possibly to big developers and Mr. Lutz said he believed the Small Area Plan was not about big development but controlled growth.

Reba Reinhardt, 6793 Startown Road, Maiden. Ms. Reinhardt said she had been very privileged to serve on the committee and she wanted to speak about the Robinson Road extension. She said by changing the Robinson Road extension, having it come on down to Rocky Ford Road, it would help the flow of traffic on Startown Road and would also enable people to get from the Lincolnton area to the mall area. She said that between HWY 10 and Cansler Crossroads in Maiden there are approximately 1500 acres owned by two families who desire the land to remain farmland. Everything she heard at the public hearings was about leaving the rural areas rural and this was the reason she believed the Robinson Road extension should be changed, not deleted.

Ken Temple, with Reverend Cauble, New Jerusalem Lutheran Church – Mr. Temple said he wanted to add to what Reverend Cauble had said. He said the church was part of the community and if the Catawba Valley Blvd extension is completed, it would cut the church off from the community and a resulting loss of sense of community. He voiced his support of the Small Area Plan with the exclusion of the Catawba Valley Blvd extension.

Chair Barnes then asked if anyone else would like to speak and hearing and seeing no one, closed the public hearing.

Commissioner Beatty asked Mary George to clarify what transportation plans had already been submitted to the State and if those plans can be changed. Ms. George said the County does their own local transportation plans and are part of MPO (Metropolitan Planning Organization) and jointly work together to come up with their transportation recommendations for the Unifour area. Those plans were initially done in 1986 and they laid out all the thoroughfare plans that were compiled from the City of Hickory, Town of Long View, and what the County had in place at the time. Then a lot of work goes into it with DOT with modeling and trying to determine traffic flows and patterns and future growth and updates are done periodically to keep the plans in line with DOT requirements. The Catawba Valley Blvd Extension Project was purely as a result of traffic studies of HWY 70. Ms. George said it was a local plan and was locally adopted and locally put forth to DOT. These recommendations are presented at public hearings and then the DOT has public hearings to fund projects through their TIP (Transportation Improvement Program). They are in a two year process to adopt the TIP which is a seven year funding plan. Ms. George said at this point consistently what they had been seeing was that the DOT was more and more limited with their funding and a lot of projects that are already on the books are being delayed and no new projects are being added. The Catawba Valley Blvd Extension Project is an unfunded project and is not in the State TIP so it's a locally adopted plan that is being put forward from the local governments. Ms. George said as it was indicated earlier that the City of Newton has concerns because they have relied upon that transportation plan that has been on the books for over ten years for infrastructure and improvements and their future landuse plan and they have done a small area plan for St. Paul's Church Road area which takes into account the Catawba Valley Blvd Extension Project. The City of Newton and the City of Hickory have been working jointly on an industrial park at Fairgrove which also takes into account that extension project. Ms. George said that it was predicted that a lot of the extension project will be built by developers and DOT will have very little to no participation in building the road.

Commissioner Barger asked Ms. George whether since the 1986 transportation plan was adopted there have been additional exits off of I-40 close to the mall onto HWY 70 and what impact did that have on the traffic counts on HWY 70. Ms. George said she believed there was some relief but it really was just a shift of traffic to a different location on HWY 70. Commissioner Barger noted that the Newton Small Area Plan called for the extension to develop their small area plan in that particular area and he hears the Startown Area Plan calling the extension a detriment. He said that plan was voted on and adopted in 1986 and the only thing he had been able to vote on was the alternate plan which moved it out of the CVCC campus and he believed the public hearing to make that move had yet to occur.

Vice-Chair Hunsucker noted that Ms. George said Newton had made plans for the area in question and had made improvements and wanted to know what improvements had been made to this point. Ms. George said a lot of it was infrastructure – extension of water and sewer to the industrial parks and joint efforts with the City of Hickory.

County Manager Lundy posed that if the Catawba Valley Blvd alternate was not endorsed or approved, the existing Catawba Valley Blvd extension through the CVCC campus remained on the books in terms of the

MPO's plans. Ms. George said it was really two different plans – what this plan recommended was that none of the alignments of Catawba Valley Blvd be built and to take it from Catawba Valley Blvd Extension through the campus would have to be endorsed and approved and amended on the thoroughfare plan through the MPO. It is currently only shown on the MPO plans as a preferred alternative – so currently it shows it two ways - one through the campus and one to the south known as the Kubilins Study alternative design.

Chair Barnes said she had a question regarding the Robinson Road extension which she said she had always viewed as a way of taking some of the traffic off of Startown Road. She asked if this was a two lane or four lane road as part of the Thoroughfare Plan. Ms. George said it was part of the County plan and the County would have direct control over that. It was currently a two lane road and the thought was to take traffic off of Startown Road and provide a continuous flow as people come from the southeast part of the county on West Maiden Road allowing them to travel straight up toward Robinson Road and come up to the mall area as well as opening up land for future development.

Vice-Chair Hunsucker said it seems that they were talking out of both sides of their mouth – they wanted to keep the rural character and then were proposing to break open this 1500 acres with the Robinson Road Extension. He said they had asked the committee to come back to the Board with recommendations and he would be more inclined to go along with extensions they recommend and the Planning Board's recommendations. He agreed with Mr. Lutz about the need to preserve some parts of the county's agricultural heritage and if that 1500 acres is broken open, someone will develop it. Vice-Chair Hunsucker said he would like to see the Board consider the Planning Board and the committee's recommendation regarding the Robinson Road Extension.

Commissioner Beatty said she felt these issues were far beyond their scope of things this evening with a lot of other involvements with it and she would rather sit down with the committee and hear their concerns and sit down with the WPCOG and the transportation staff and see how it all fit together. She said there were different municipalities involved and she was unsure that these were issues that the Board could even control. She said she would be happy to sit down with all these parties and discuss all these issues rather than approve or not approve the plan this night.

Commissioner Barger said he agreed that there needed to be discussions with the people Commissioner Beatty identified but he said the Board had charged the committee to come up with a plan 18 months later they came forward with a plan and he would go ahead and approve the plan as presented by the committee and then have the proposed discussions. He said he thought they owed it to the committee to give them an answer on the plan. Commissioner Lail asked if the plan could be adopted with the exception of the thoroughfare and then have further discussion regarding that part. Commissioner Barger said he thought they should adopt the plan, which does not necessarily stop what work might be in operation – he noted that the County was only one of several municipalities that has votes so it may be out of the Board's hands completely. He said the other issue is annexation- if this area is annexed by one of the other cities, it comes out of the County's jurisdiction and it's a decision of the city. He said he thought what they were acting on this night was the work of the County's citizens who were charged with the plan and if they feel that road should not be there, the Board should vote on that.

Chair Barnes noted that this was to be looked at as a small area plan and reminded those present that the County was working toward a Unified Development Ordinance.

Commissioner Lail said she could not support the plan as it was presented and would support the staff's recommendation. She asked if the County's attorneys had any words of wisdom regarding the issue. County Attorney Robert Eades said that this was not a legal issue, but a policy issue and thought the Board had several alternatives in front of them. They could choose not to accept the plan or they could choose to pass the plan with the exception of the transportation part and if they did that he thought they would have to worry about having additional public hearing when they came back with whatever the ultimate plan recommendation would be but he noted the Board had very broad discretion in this area since it was a legislative decision. He noted that in other instances the Board had adopted small area plans that differed from the MPO, so there was precedence in taking that action.

Vice-Chair Hunsucker said he agreed with Commissioner Barger in that the Board had charged the committee to come to the Board with a recommendation and they have done so. The Planning Board had supported their recommendation and he made a motion for the Board to approve the plan as it was presented by the Planning Board.

Commissioner Beatty clarified that the entire plan was a recommendation.

Chair Barnes noted the County was moving toward a Unified Development Ordinance which would look at all the small area plans being to be some degree submerged into the UDO. Attorney Eades said the UDO was going to implement all the small area plans – and the plans were the framework within which the UDO was to begin so there were a lot of parts of the Startown Small Area Plan that didn't have anything to do with transportation and those will clearly be part of the UDO. Chair Barnes said they recognized that the Board had very little to do with the transportation part other than making recommendations and it seemed that it takes twenty-five years for any road to get built.

Commissioner Beatty asked that the motion be repeated. Chair Barnes stated the motion was to approve the Small Area Plan as suggested by the Planning Board which excludes the recommendation for the extension of Catawba Valley Blvd and the Robinson Road piece that is in the thoroughfare plan. She asked if everyone understood the motion. The motion carried with Chair Barnes, Vice-Chair Hunsucker, Commissioner Barger and Commissioner Beatty voting aye and Commissioner Lail voting no.

Chair Barnes thanked the entire planning group and members of Startown area who had come to the meeting and their input would be considered when the Board moved forward with the Unified Development Ordinance.

8. Appointments:
Commissioner Glenn Barger recommended the appointment of Dan McEachran to the Community Service Block Grant Advisory Board to replace Doug Howard. This recommendation came in the form of a motion. The motion carried unanimously.
9. Consent Agenda:
County Manager Lundy presented the following items for the Board's approval:
 - a. Mr. Lundy reminded the Board of their past approval of the rabies pre/post-exposure vaccine Rabivert after the vaccination used in the past by Public Health was no longer available from the supplier. This request was for an increase in the fee for that vaccination from \$210 to \$ 250. This fee was derived from the actual cost of the vaccine to the County with an administrative fee added to cover the cost of processing and administering the injection. The supplier had just notified the County of an increase of \$40 for the cost of the vaccine, thus resulting in the requested \$250 fee.
 - b. This item was a request for the Board to approve a resolution to declare a 2000 Chevrolet Malibu surplus and donation of the vehicle to the Work and Ride Program which is part of the Work First program.
 - c. This request was to award a bid to G. Nelson Sigmon Paving in the amount of \$1,788,001 (funded from Solid Waste Management Fund 525-350150-989000) for 120,000 tons of gravel to be used for the next landfill cell. The current landfill cell will reach capacity in the summer of 2008 and the next five year cell will begin construction in October 2007. Over the next two years a two-foot layer of gravel will be put in the new cell. Chair Barnes clarified that the bid award would be funded by Solid Waste Management Fund and no property tax monies would be used.

Chair Barnes asked the Board if they wanted any item broken out from the consent agenda. None was requested. Vice-Chair Hunsucker made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports:
 - a. Utilities and Engineering:
Jack Chandler, Public Service Administrator, presented a request to delegate, by resolution, authority for him to conduct an open meeting concerning preferred alternates for the sewer line to serve the Balls Creek Elementary School area.

General Statute §133-3 provides for free and open competition on public contracts. It states the following:

Specifications shall contain a performance specification or name at least three brands of equal of equivalent design characteristics.

- If the owner prefers a particular brand or product or material then such brand shall be bid as an alternate to the three items or equivalent design in the base bid, one of which may be the preferred brand.
- The specifications for the preferred brand must also identify the performance standards that support the preference.
- The owner shall publish a notice announcing an open meeting for the presentation of the performance standards.
- The open meeting may be held separately or in conjunction with the project pre-bid meeting.
- A designated official of the owner will conduct the meeting.
- The justification must either indicate a cost savings or maintain or improve the function of any process or system affected by the preferred product or both.

Easement acquisition, design and construction documents for the Balls Creek Elementary School Sewer Project are progressing. At this time, there is only one product that is being considered as a preferred alternate and that is Flyght Pumps. The City of Newton uses Flyght Pumps for all their pump stations, except the South Fork Pump Station, which contains EMU pumps. The City prefers using Flyght pumps in this project, since it will simplify operations and maintenance procedures for the City for all of their pump stations, i.e., sharing spare parts, dealing with one supplier, etc. Since any preferred alternate must be discussed at an open meeting, staff was requesting the authority to act as the official for the County be delegated to Public Services Administrator, Jack Chandler. The preferred alternate discussion would occur at the advertised; all procedures set by the State Construction Office would be followed.

The resolution read as follows:

County of Catawba, North Carolina

Resolution No. 2005-

A RESOLUTION TO RECEIVE ALTERNATE BIDS FOR FLYGHT BRAND PUMPS

WHEREAS, Catawba County has an agreement for the City of Newton to own, operate and maintain the wastewater pumping station serving the Balls Creek Elementary School Area; and

WHEREAS, the agreement between Catawba County and the City of Newton provides for a mandatory alternate bid requiring Flyght brand pumps as follows:

| | |
|------------------------|--|
| Number of Pumps | Two (2) |
| Type | Submersible Centrifugal Sewage Pumps |
| Capacity (duty Points) | 300 GPM @ 194 Feet 500 GPM @ 179 Feet 201 Feet Shut-off Head |
| Impeller Diameter | 335-mm |
| Max. Sphere Passage | 3-inches |
| Motor | 47-HP 460-volts, 3-phase, 60-hertz, 1755-RPM; and |

WHEREAS, the City of Newton feels there will be cost savings and improved function of the pumping system due to standardizing around Flyght brand pumps due to:

- Reduction in spare parts inventory
- Flexibility in providing spare pumps
- Improved responsiveness due to more familiarity with single manufacturer; and

WHEREAS, the City of Newton owns, operates and maintains a sewerage wastewater system for the benefit of the citizens of the City;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the County receive alternate bid prices for Flyght brand pumps and select alternate equipment if deemed in the best interest of the County and the City of Newton.

Adopted this the ____ day of October 2005.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Commissioner Barger made a motion to approve the request and the resolution. The motion carried unanimously.

b. Sheriff's Office:

Sheriff David Huffman presented a request for approval of a lieutenant position for the Newton Detention Center.

In the past few months several changes have been made in supervisory duties and responsibilities in the Sheriff's Office. These changes resulted from a need to add an administrative position to the jail to meet the growing prisoner population and increased workload. The Newton Detention Center is currently housing an average of 176 prisoners per day in a facility designed to house 98. Ground has been broken for the jail expansion with an anticipated completion date of December 2006, at which time the facility will have 268 total beds. The pressure of overcrowding, coupled with the ongoing construction of the new facility, has placed a strain on the current staff. Trying to find other facilities to house inmates as well as coordinating the transportation of inmates to and from court is a full-time job. The existing jail administration must also be involved in the the-day-to-day activities of the jail expansion project. A major part of this process will include working with the Business Manager, the Purchasing Agent, Personnel Department, and the Budget Office to develop the final operating budget for the expanded facility including determining staffing needs, developing specifications for equipment quotes, obtaining quotes, and determining the overall increased costs of operating the larger facility.

Adding a supervisory position is part of the overall staffing plan for the expanded detention facility. However, due to the increasing administrative workload a decision was made to transfer a Captain position to the jail now instead of waiting until next fiscal year. This position is responsible for the overall supervision of the Detention Center and serves as the Jail Administrator. Ongoing duties for the position include coordinating inmate transports, overseeing the movement of inmates and managing the jail population by working with the State and other local facilities to identify alternative bed space and working with Repay, local judges, and the DA's Office to process inmates through the court system more efficiently. The Captain is also playing a vital role in the jail expansion project by participating in meetings, reviewing the daily construction progress, and assisting with a variety of other planning activities. The reassignment of the Captain position has freed the Lieutenant to oversee the daily jail operation including training, scheduling, and supervising staff, responding to inmate complaints, insuring all paperwork related to inmate confinements is properly processed and assisting with the jail expansion project.

Moving this Captain position has left a vacancy in supervision for several divisions within the department and a need to reassign responsibilities for other positions. Formerly the supervisory responsibilities for this

Captain also included the Uniform Patrol, Civil, Warrants, and Lake Patrol. A second Captain was responsible for supervising Criminal Investigations, Narcotics, Crime Prevention, School Resource Officers, and Active Reserve Officers. After reviewing the functions of each division reporting to the existing Captains, it was determined that the best structure for the department would be to place all uniformed direct service personnel under one Captain, the Detention Center and Court under the second Captain and the investigative functions of Criminal Investigations and Narcotics under a Lieutenant level position. The Lieutenant's position would be established effective November 2005 in the Criminal Investigations Division. The total amount needed to fund this position is \$39,015.

SUPPLEMENTAL APPROPRIATION:

From:

| | | |
|-------------------|-----------------|----------|
| 110-190050-690100 | GF Fund Balance | \$39,015 |
|-------------------|-----------------|----------|

To:

| | | |
|-------------------|-----------------------|----------|
| 110-210350-812100 | Regular Wages | \$27,700 |
| 110-210350-821100 | FICA | \$ 2,120 |
| 110-210350-822200 | LEO Retirement | \$ 2,700 |
| 110-210350-823100 | Group Health | \$ 4,400 |
| 110-210350-823300 | Group Dental | \$ 183 |
| 110-210350-823600 | Long Term Disability | \$ 70 |
| 110-210350-823610 | Basic Life Insurance | \$ 40 |
| 110-210350-825500 | Short Term Disability | \$ 52 |
| 110-210350-849160 | Indirect Costs | \$ 1,750 |

Vice-Chair Hunsucker made a motion to approve the request for the lieutenant position. The motion carried unanimously.

11. Attorneys' Report:
Attorney Debra Bechtel reported on a positive result regarding a case which involved the County EMS personnel. The defendant, who had placed the EMS personnel in danger at the scene of an accident, pled to careless and reckless driving to endanger and failure to move over for emergency vehicles.
12. Manager's Report: None.
13. Other Items of Business: None.
14. Adjournment.
Commissioner Beatty made a motion to adjourn at 7:40 p.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Board of Commissioners

Barbara E. Morris, County Clerk